

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/681,884
Applicant : Brian Westfall
Filed : 10/08/2003
TC/A.U. : 3724
Docket No. : ALPI-18833
Customer No. : 01224
Confirmation No. : 8194

RESPONSE TO FINAL OFFICE ACTION OF MARCH 22, 2006

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed March 22, 2006, please amend the application as follows:

Amendments to the Specification: NONE

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Amendments to the Drawings: NONE

Remarks begin on page 5 of this paper.

In the claims:

Please amend the claims as follows:

1. (Currently Amended) An apparatus for cutting a workpiece, the apparatus comprising:

a linear feed assembly capable of automatically moving a workpiece forward and backward along its longitudinal axis; and

an automated cutting assembly having at least one cutting blade, the cutting blade rotatable about a pivot axis, movable along a vertical axis into and out of cutting contact with a workpiece, and rotatable along a bevel axis, the apparatus able to cut the workpiece at a bevel angle using a stab cut by ~~simultaneously automatically~~ moving the workpiece along its longitudinal axis ~~using the linear feed assembly~~ and ~~simultaneously~~ moving the cutting assembly along the vertical axis.
2. (Original) An apparatus as in Claim 1 wherein the cutting blade is further automatically movable along a transverse axis, the apparatus able to cut the workpiece at a compound cut using a stab cut in combination with cutting while moving the blade along the transverse axis.
3. (Original) An apparatus as in Claim 1 further comprising a computer assembly for operating and controlling movement of the cutting blade.
4. (Original) An apparatus as in Claim 1, the cutting blade having a maximum cut length longer than the length of the compound cut.
5. (Original) An apparatus as in Claim 1, the blade having a maximum cut length of at least six inches.

6. (Original) An apparatus as in Claim 5 further comprising upstream and downstream feed assemblies operable to clamp and move workpieces, sense the presence or absence of a workpiece, determine the length of a workpiece, and position the workpiece for cutting at a selected length.

7. (Original) An apparatus as in Claim 1, the blade having a maximum cut length of at least ten inches.

8. (Original) An apparatus as in Claim 1 wherein the apparatus is able to cut the workpiece at other than a ninety-degree bevel cut.

9. (Currently Amended) An apparatus for cutting a workpiece, the apparatus comprising,

a linear feed system for automatically moving a workpiece along its longitudinal axis, and

a cutting assembly having a cutter blade capable of cutting the workpiece using a stab cut, the apparatus capable of automatically moving the workpiece along its longitudinal axis and simultaneously cutting the workpiece using a stab cut to create a bevel cut on the workpiece.

10. (Original) An apparatus as in 9 wherein the cutting blade is further automatically movable along a transverse axis and is capable of cutting the workpiece using a stab cut in combination with a transverse cut.

11. (Original) An apparatus as in Claim 9 further comprising a computer assembly for operating and controlling movement of the cutting blade.

12. (Original) An apparatus as in Claim 9, the cutter blade having a maximum cut length greater than the length of the bevel cut.

13. (Original) An apparatus as in Claim 9 wherein the bevel cut is a ninety-degree bevel cut.

14. (Currently Amended) An apparatus for cutting a workpiece, the apparatus comprising:

a linear feed assembly for automatically moving a workpiece along its longitudinal axis; and

a cutting assembly having a cutting blade, the cutting assembly capable of cutting the workpiece using a stab cut, the cutting blade having a maximum cut length and capable of automatically creating a bevel cut by simultaneously moving the workpiece along its longitudinal axis and cutting the workpiece using a stab cut, wherein the length of the bevel cut is greater than the cut length of the blade.

15. (Original) An apparatus as in 14 wherein the cutting blade is further automatically movable along a transverse axis.

16. (Original) An apparatus as in Claim 16 wherein the cutting blade is operable to automatically create at least one bevel cut on a workpiece, at least one transverse cut on the workpiece, and at least one scarf cut on the workpiece.

17. Canceled.

18. Canceled.

19. Canceled.

20. Canceled.

REMARKS

Claims 1-16 are pending in the application. Claims 1-5 and 7-16 stand rejected under 35 USC 103(a) as being unpatentable over Steiner in view of Denman. Without making any comment as to whether Steiner in fact teaches a cutting assembly movable about a pivot axis, vertical axis, bevel axis and transverse axis, Applicant notes that Steiner does not teach a "linear feed assembly capable of *automatically* moving a workpiece forward and backward along its longitudinal axis," as is required in the Claims. In fact, the examiner notes in the Action that the Steiner apparatus is capable of "simultaneously moving the workpiece along its longitudinal axis *manually* and moving the cutter along the vertical axis..." Action, p. 2 (emphasis added). The Applicant's invention is operable to automatically move the workpiece during the cutting operation. The Claims are amended to make this more evident and to claim the automatic movement of the workpiece along its longitudinal axis. Claim 1, for example, now requires that the bevel stab cut be executed by "automatically moving the workpiece along its longitudinal axis using the linear feed assembly and simultaneously moving the cutting assembly along the vertical axis." Claim 9 as amended requires "automatically moving the workpiece along its longitudinal axis and simultaneously cutting the workpiece using a stab cut." Steiner does not teach automatically moving the workpiece along its longitudinal axis, whether by a linear feed assembly or other means. Nowhere does Steiner teach automatically advancing and/or retracting the board while automatically moving the cutting assembly.

Additionally, the Denman reference teaches a manual linear feed assembly. The assembly is designed as a safety mechanism for a manual user, as the examiner notes. The Applicant's invention requires an automatic linear feed assembly capable of "automatically moving the workpiece forward and backward." While this serves a safety function, it is primarily useful because it automatically advances or retracts the workpiece at the appropriate time and rate in conjunction with simultaneous movement of the cutting apparatus to execute various cuts, such as the stab bevel cut claimed here. Nowhere is the automatic linear feeding of workpieces taught by Denman. Further, nowhere is the combination of Steiner and Denman taught or suggested.

Claim 6 stands rejected under 35 USC 103(a) over Steiner in view of Pyle. The above arguments with respect to the limitations of Steiner apply here as well. Additionally, Claim 6 is allowable as depending from an allowable base claim.

The Claims are believed to be in condition for allowance. The Claims do are not taught or anticipated by the cited art, and the amendments herein do not necessitate a new search. Consequently, the Applicant respectfully requests entry of the amendments to the Claims and allowance of the amended Claims. If the examiner is of the opinion that a telephone interview would speed allowance of the application, please do not hesitate to call Peter Schroeder at 214.220.0444.

The Commissioner for Patents is hereby authorized to charge any fees relating to this paper or credit any overpayment to Deposit Account No. 50-3037. A duplicate copy of this fee authorization is enclosed for this purpose

Dated: May 22, 2006

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May 22, 2006

Date of Deposit

Peter V. Schroeder


Printed Name of Person Signing Certificate

Signature

May 22, 2006

Date of Signature

Respectfully submitted,


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